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# THE NEXT UNITED STATES SENATOR

FROM PENNSYLVANIA.

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March 1857

By a change in the political sentiments of a large body of the voters in the State of Pennsylvania, a Democratic majority on joint ballot has been elected to the legislature which convenes next January. The most important duty of this body will be to elect a senator of the United States to succeed Mr. John Scott, whose term expires on the fourth of next March. Owing to the political complexion of a majority of the legislature, a Democrat will undoubtedly be chosen to fill this important office. It is permitted to the untrammelled layman to discuss freely the characters and qualifications of the men who present themselves for the approval of the people's representatives. The united opinion of the people of this State, if expressed, cannot be disregarded. The sole danger is that, in the multitude of aspirants, the claims of the strongest may be bartered away against the temporary inducements of expediency.

What should be the qualifications of the man who is for six years to represent the great Commonwealth of Pennsylvania in the body which, by its constitution, is the most august public assembly in the world—whose influence upon posterity is to be as much more far-reaching than that of the senate of Rome or the parliament of England, as the United States surpass in extent and variety the old Roman and modern English empires?

*First.*—*He should be a man of prominence.* Nothing will work more injury to the prospects of a party so lately readmitted to power that its foothold depends upon its future integrity and not upon its past traditions, than the elevation of an unknown man to the highest position in the gift of the party in this State, and one so rarely in their power that for twenty years they have but once been called upon to exercise their choice.

To name an untried man to this high office will be to disgust at least all of those moderate and conservative voters who, while not Democratic, will always be essential to a Democratic victory. The next senator must be chosen, not merely as a reward for past services, but because his choice will prove to all that the Democratic majority wish to represent the welfare of the whole people, not to aggrandize the interests of a faction. No local patriot should be called on to exercise the prerogatives of this lofty office, because, forsooth, the east, or the middle, or the west of the State is entitled, by prescriptive barter, to the next prize. Pennsylvania herself, not her sections, should be represented by her senators; the greater duty devolves on the Democratic party, that this rule has been hitherto disregarded by their opponents.

A prominent man can always be measured by his past record; he should never be gauged by his golden intentions. Let the dispassionate and honest reader apply this test to the man who, by his high position, and constant participation in political affairs, is looked upon as among the most prominent in the present cluster of candidates.

Mr. William A. Wallace has been more than once chairman of the Democratic State Central Committee, State senator, and president of State conventions, among others that held at Pittsburg, last August, which resulted in the nomination of the democratic ticket, which, for the second time, since 1856, has been successful.

Mr. Wallace unquestionably fulfills the important requisite of prominence. It is true that when the suggestion of holding a constitutional convention was broached, in 1870, the senator from Clearfield then urged against the proposition that the people of the State should be first consulted on so momentous a question. The legislature was not the proper body to pronounce upon that which might influence the indefinite future of this great State.

On the same grounds, afterwards urged with such resistless logic by the counsel for the plaintiffs, in *Wells et al. vs. The Election Commissioners*,—the case in which it was sought to restrain the commissioners appointed by the Constitutional

Convention from holding the election in Philadelphia, and which were adopted as the deliberate judgment of the Supreme Court, in the successive opinions delivered by the present Chief Justice,—the tampering with the rights of the people by their circumscribed representatives was inveighed against, and the result was the answer of the people, by a large majority, in favor of a convention. Mr. Wallace, at the next session of the legislature, voted for the bill for holding a convention, and the convention was held. It is true that he did not use all of his great influence with the energy and enthusiasm which have characterized his movements since the last election, in favor of this then doubtful movement. He did not seek the company of that body of distinguished and upright men who framed the new Constitution with the same alacrity with which he is now preparing to leave the senate of his native State for a field of wider horizons and loftier aims.

But it is equally true that Mr. Wallace occupies a loftier position than that allotted to the members of the late constitutional convention; for, has he not been selected to assist the Chief Justice of the State in revising the labors of the men then elected by the people, in company with five others, appointed by the people's governor?\* The clumsy labors of the public council of five hundred in Venice, were, in cases of clear mistake, submitted to the council of ten, who sat with closed doors and acted with rare promptness and unanimity. Is it surprising that the last Republican legislature of Pennsylvania should have gleaned some seeds of truth from their perusal of the energetic doings of the republic of the sea?

Mr. Wallace will, undoubtedly, reverse, in numerous cases in this court of errors, the follies enacted by the body whose proceedings are to be reviewed, and his position will afford him an opportunity of suggesting reforms, which in his absence from the convention, escaped the prevision of its members.

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\* See Pamphlet *Laws of Pennsylvania, 1874* (No. 92), page 157. The gentlemen appointed in pursuance of this act are Chief Justice Agnew; Judge Henry W. Williams, of Tioga; Hon. B. H. Brewster; Senators Wallace and Playford; Attorney-General Dimmick and Mr. A. T. McClintock, of Luzerne. See *Legal Gazette of June 19th, 1874*, page 196.

It was thought that in that body railroads stood at a disadvantage. It is true that men of the highest forensic skill fought their battles, but a strong feeling against corporations prevailed, and the best directed efforts failed to prevent new and extraordinary restrictions from being imposed upon these improvement companies.

But among his many claims for the position, to which Mr. Wallace aspires, none has helped him more than that he is a railroad man. He has been connected with more railroads than the uninformed public is aware of, and in such connections he has shown the most consummate ability. It is, perhaps, a severe regard to the justice due to these bodies, so severely handled by the late convention, which has induced Governor Hartranft to complete the symmetry of this constellation of seven, by introducing a railroad luminary of the first magnitude, and who was till quite lately the vice-president of the Texas Construction Company. Mr. Wallace's part in the doings of the legislature of 1870 was so highly appreciated by the men connected with the Texas Construction Company, that he was chosen the vice-president of that road—a position which he occupied until quite recently.

*But, secondly, the next senator must be untrammelled by his past or present adherence to the claims of localities or by an undue regard to class interests.*

Does Mr. Wallace fulfill these negative essentials? That question is best answered by turning to his official record.

What were the specific acts of the legislature of 1870 for which Mr. Wallace deserves from the people of the whole State a recognition of his high public services?

Pamphlet Laws of State of Pennsylvania, page 440, bill No. 432, an act to incorporate the Clearfield and Buffalo Railway Company.

*Be it enacted, \* \* \* That Byron D. Hamlin, \* \* \* Joseph L. Hyde, and J. Blake Walters, \* \* \* or a majority of them, and those who hereafter may be associated with them*



as stockholders, be and they are hereby created, incorporated, and constituted a body politic and corporate, in deed and in law, by the name, style, and title of the Clearfield and Buffalo Railway Company, and as such shall have all the incidents and powers of a corporation, and as such shall have all the rights, powers, and privileges of and be subject to all of the conditions and restrictions conferred or imposed upon railway corporations by an act to regulate railroad companies, approved the nineteenth day of February, A. D. 1849, and its several supplements, so far as the same are not altered or supplied by this act; and the said company shall also be entitled to all the rights, powers, and privileges conferred upon railway corporations by any general law of this Commonwealth.

SEC. 3. \* \* \* *and the said company is hereby authorized to receive donations of land or other property, or to receive the same in payment of subscriptions, or in exchange for stock in such railway, on such terms and conditions as may be agreed upon between the company and its directors and the parties so donating, subscribing, or exchanging; but said company is hereby vested with full power and authority to hold, use, sell, or otherwise dispose of said property from time to time.* \* \* \* \*

SEC. 4. *The incorporators named in the first section of this bill, with two others to be by them named, shall be and constitute the board of directors of said company, which shall consist of five directors, one of whom shall be chosen president of the company; and they shall hold the said office of directors of the said company until the first Monday in June, 1871, and until their successors shall be elected.*

(Approved March 15th, 1870.)

It is hardly necessary to refer to the confidential relations existing between the senator from Clearfield and the two gentlemen last named in the bill, who constituted a majority of the incorporators originally named, and who had power to name the two others to be associated with them and thus form *four* of the *five* persons created by this act of assembly the directors of the Clearfield and Buffalo Company, from March 15th, 1870, to the first

Monday in June, 1871, a period of nearly fifteen months, *and until their successors should be appointed.*

On pages 149-50 of the pamphlet laws of the same year will be found an act (No. 136) to incorporate the Jersey Shore, Pine Creek and Buffalo Railway Company. The general provisions of this act are similar to those of the act incorporating the Clearfield and Buffalo Railway Company, except that the ample authority in the former bill vested in three directors named by the legislature is absent from the latter bill. Is it to the superior astuteness of the chief promoter of the Clearfield and Buffalo Railway, that his friends, its directors, were so distinguished by the voluntary confidence reposed in them by the Commonwealth, while in the act to incorporate the Jersey Shore, Pine Creek and Buffalo Railway Company—a scheme which had for its sponsor Senator Olmsted, the late republican candidate for lieutenant governor—the latter was, as regards its choice of directors, subject to the ordinary obligations resting upon railroads?

But how were these bills passed? They were schemes of some grandeur. The capital stock of the Jersey Shore, Pine Creek and Buffalo Railway Company was not to exceed four millions of dollars, and their borrowing capacity on their bonds was restricted to the inconsiderable sum of six millions. It is true that this railroad, too, was “authorized to receive donations of land or other property, or receive the same in payment of subscription or exchange for stock, on such terms and conditions as might be agreed upon between the company and the parties so donating, subscribing, or exchanging, with full power and authority to said company to hold, use, sell, or otherwise dispose of said property from time to time,” and this clause would excite the surprise of one unversed in legislative arts; for it is generally supposed that railroads are not regarded in this country as vast charitable institutions, and that endowments, save from that most generous of donors, the Government of the United States, are rare. Such, at least, is the case in Pennsylvania. If these railroads, indeed, had been great transatlantic highways, necessary for the moral and intellectual development of the grain-growing fields of the great North-west, like the Northern Pacific Railroad, or of the fertile prairies and rich mines of Texas and California,

like the Texas Pacific Railroad, nothing could be more natural than donations from the willing and grateful people to the tried and efficient servant.

A return to the record of proceedings may enable the unpolitical reader to form his conjectures.

How, then, were these bills deliberated upon before their passage?

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#### THE JERSEY SHORE, PINE CREEK AND BUFFALO RAILROAD.

*On the 16th of February, 1870, "Mr. Olmsted read in his place, and presented to the chair, a bill, entitled 'An act to incorporate the Jersey Shore, Pine Creek and Buffalo Railway Company;' which was committed to the Committee on Railroads."\**

*Same day, "on motion of Mr. Olmsted and Mr. Beck, the Committee on Railroads was discharged from the further consideration of bill, entitled 'An act to incorporate the Jersey Shore, Pine Creek and Buffalo Railway Company,' and the rules having been dispensed with, said bill (Senate file No. 570) was read a second and third time, and passed. Ordered, that the clerk present said bill to the House of Representatives for concurrence."†*

*On the same day, "the clerk of the House of Representatives being introduced, returned bill from the Senate, numbered and entitled as follows, viz., 'No. 570. An act to incorporate the Jersey Shore, Pine Creek and Buffalo Railway Company,' with information that the House of Representatives had passed the same without amendment."‡*

*On the 18th of February, the Committee to Compare Bills reported that the bill had been presented to the Governor on the 16th of February.§*

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\* Journal of the Senate of Pennsylvania, 1870, page 365.

† Journal of the Senate of Pennsylvania, 1870, page 368.

‡ Journal of the Senate of Pennsylvania, 1870, page 370.

§ Journal of the Senate of Pennsylvania, 1870, page 402.

March 1st, the Secretary of the Commonwealth presented a message from the Governor, dated February 25th, 1870, saying that he had, *on the 17th of February*, signed, among others, the bill entitled "An act to incorporate the Jersey Shore, Pine Creek and Buffalo Railway Company."\*

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THE CLEARFIELD AND BUFFALO RAILROAD.

*March 14th*, bill 1328, read in the House by Mr. Hall, and rushed through all its readings, and passed under a suspension of the rules.†

*March 15th*, House bill "No. 1328, 'An act to incorporate the Clearfield and Buffalo Railroad Company,'" presented to the Senate by Clerk of the House, and referred to Committee on Railroads.‡

*Same day*, "on motion of Mr. Wallace and Mr. Olmsted, the Committee on Railroads was discharged from the further consideration of bill No. 1328, and the rules having been dispensed with, said bill (No. 1021, Senate file) was read a second and third time, and passed."§

Report from Committee to Compare Bills, that the bills had been compared, and presented to the Governor *on the 15th of March, the day of its passage in the Senate.*||

Message from the Governor that he had signed the bill on the *15th of March.*¶

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THE BILL FOR THE DEPLETION OF THE SINKING FUND TO THE EXTENT OF NINE-AND-A-HALF MILLIONS OF DOLLARS.

The energy which secured the passage of this bill and its signature by the Governor, in a little over twenty-four hours,

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\* Journal of the Senate of Pennsylvania, 1870, page 473.

† Journal of the House of Representatives Pennsylvania, 1870, page 705.

‡ Journal of the Senate of Pennsylvania, 1870, page 625.

§ Journal of the Senate of Pennsylvania, 1870, page 627.

|| Journal of the Senate of Pennsylvania, 1870, page 743.

¶ Journal of the Senate of Pennsylvania, 1870, page 703.

was next directed to grander schemes. Combination here became necessary, and loftily forgetting the pettinesses of party politics, Senator Olmsted, the Republican, joined hands with Senator Wallace, the Democrat, for the accomplishment of the great railroad scheme about to be chronicled.

The combined forces of the two roads were now joined in an attempt which, for boldness and grandeur, has perhaps never been equaled even in the annals of the Legislature of Pennsylvania.

*On the 15th of March, 1870, Mr. Olmsted read in his place and presented to the chair a bill, entitled 'An act to facilitate and secure the construction of an additional railway connection between the waters of the Susquehanna and the Great Lakes, Canada and the North-western States, by extending the aid of certain corporations to the Jersey Shore, Pine Creek and Buffalo Railway Company.\* Referred to the Committee on Railroads.'*†

After the preamble the bill, as finally passed by the legislature and presented to the Governor, reads:—

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Jersey Shore, Pine Creek and Buffalo Railway Company be and they are hereby authorized to execute a first mortgage to the amount of six millions of dollars in lieu and substitution of the loan said company have heretofore been authorized to make, which shall cover all their line of railway to be constructed from Jersey Shore to connect with the Buffalo and Washington Railway as set forth in their charter, with its extensions, rights of way, equipment, engine-houses, machine-shops, tools, and property of every kind whatsoever appurtenant to and requisite for the maintenance, management, and operation of said road, together with the corporate rights and franchises acquired and to be acquired, to secure the payment of bonds as hereinafter*

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\* The title of the act, as finally passed, contains after the last words the following:—"And in like manner to aid the construction of the Pittsburg, Virginia and Charleston Railway, the Clearfield and Buffalo Railway, and the Erie and Allegheny Railway."

† Journal of the Senate of Pennsylvania, 1870, page 623.

provided, *each bond bearing interest at five per centum per annum, payable semi-annually, from and after the first day of April, A. D. 1870, which bonds shall be payable to the Commonwealth of Pennsylvania, to be deposited in the sinking fund of the commonwealth, with the interest thereon, for application only to the payment of the public debt; these bonds to be received by the Commonwealth in lieu and substitution of the existing debt of that amount of five per centum bonds that is contracted to be paid by the Pennsylvania Railroad Company, and all liens and claims arising in connection therewith; and the said six millions of dollars of bonds shall be received in full satisfaction of the said bonds of the Pennsylvania Railroad Company, and of all liens and claims arising thereunder or therefor. One hundred thousand dollars of said bonds of the Jersey Shore, Pine Creek and Buffalo Railway Company shall be payable each and every year, beginning with the first day of April, 1875, and so continue annually thereafter, until the first day of April, 1890. On the first day of April, 1891, one million of dollars. On the first day of April, 1892, one million of dollars. On the first day of April, 1893, one million of dollars. And all the remaining balance of the entire debt, with the interest due thereon, shall be fully paid and liquidated on the first day of April, A. D. 1894.*

Upon the delivery of the bonds and mortgages, as hereinbefore provided, *the commissioners of the sinking fund of this commonwealth are hereby authorized, empowered and directed to deliver to the Jersey Shore, Pine Creek and Buffalo Railway Company the obligations of the Pennsylvania Railroad Company now in the sinking fund, or in any way belonging to the Commonwealth, to the amount of six millions of dollars of five per centum bonds, and to cancel and fully satisfy all mortgages or claims of every nature and kind whatsoever existing therefor by legislative enactment, contract, or otherwise, in favor of the Commonwealth against said Pennsylvania Railroad Company, and thereupon the entire proceeds that may be realized from the said bonds and claims against the Pennsylvania Railroad Company shall be applied from time to time by the Jersey Shore, Pine Creek and Buffalo Railway Company only to the immediate construction and equipment of said line of railway between the points specified in the*

act incorporating the said company, and the said main line of railway shall be constructed and opened for public use within three years from the passage of this act: *Provided, however,* That no delivery or exchange of bonds shall be made under the provisions or authority of this act, by the Commissioners of the Sinking Fund, until a contract for the construction and equipment of the Jersey Shore, Pine Creek and Buffalo Railway, with responsible parties, duly executed, shall be delivered to said commissioners, and an absolute guarantee for the fulfillment thereof, *within the time and conditions of this act,* by the Catawissa and Philadelphia and Reading Railroad Companies, or the Catawissa and Lehigh Valley Railroad Companies, or by the Philadelphia and Erie, Northern Central, and Pennsylvania Railroad Companies; and, also, *a guarantee in like manner* of the payment, by the Jersey Shore, Pine Creek and Buffalo Railway Company, of three hundred thousand dollars interest per annum, as it accrues, to the State, on the said bonds of the Jersey Shore, Pine Creek and Buffalo Railway Company, *during the construction of said line of railway and until it is opened for traffic, as required by this act.* And said companies, or such of them as may join in said guarantee for the purpose of providing additional security to the State, as aforesaid, are hereby fully authorized and empowered to execute such agreements and obligations, under their corporate seals, as may be needful to perfect their said guarantee, as required by this act, and as further security to the Commonwealth for the execution of guarantees, as hereinbefore provided; the same shall be deemed and taken to be a lien upon the railways, their property and franchises, that may enter into the same, and so continue until the conditions thereof are fully complied with: *Provided, however,* That the said Pennsylvania Railroad Company shall give its consent in writing, duly executed under the seal of said company, to the transfer of the said Pennsylvania Railroad Company's bonds to the said Jersey Shore, Pine Creek and Buffalo Railway.

SEC. 2. *That the three and a half millions of five per centum bonds now in the hands of the Commissioners of the Sinking Fund given by the Allegheny Valley Railroad Company to the Commonwealth of Pennsylvania, together with all the guarantees connected*

*therewith, be and they are hereby appropriated for aiding in the development of certain districts of the Commonwealth as hereinafter provided: First. To the Pittsburg, Virginia and Charleston Railway Company, and to the branch road to Waynesboro, in Greene county, one million six hundred thousand dollars. Second. To the Clearfield and Buffalo Railway Company, one million four hundred thousand dollars. Third. To the Erie and Allegheny Railway Company, five hundred thousand dollars. For which the Commonwealth of Pennsylvania shall receive their bonds respectively, bearing the same interest, maturing at the same time as the bonds the Commonwealth now holds in pro rata proportion from each company, ALL OF WHICH SHALL BE SECURED BY A SECOND MORTGAGE upon those lines, and the branches thereof respectively, their property, franchises and equipments, which bonds shall be deposited in the sinking fund, and the proceeds thereof shall be applied only to the payment of the public debt and the interest thereon, the said companies limiting their first mortgage to an amount not exceeding sixteen thousand dollars per mile, bearing interest at seven per centum per annum, the proceeds thereof, and also the proceeds of all bonds received from the Commonwealth under this act, to be used only for aiding in the construction and equipment of their roads and branches, all of which bonds and mortgages they are hereby fully authorized and empowered to perfect in the usual form; upon this being done and the five per centum bonds of said companies delivered to them, the said Commissioners of the Sinking Fund are hereby authorized, empowered and directed to deliver to the companies named in this section of this act their respective portions of the bonds of the Allegheny Valley Railroad Company now in the sinking fund, or in any way belonging to the Commonwealth, to the amount of three millions five hundred thousand dollars of five per centum bonds, and to cancel and fully satisfy all mortgages and claims of every nature and kind whatsoever existing therefor in favor of the commonwealth against said Allegheny Valley Railroad Company and the guarantors thereof, the consent of said guarantors to said transfer first being filed with the Commissioners of the Sinking Fund, and to relinquish and transfer all and every claim of the Commonwealth against the Allegheny Valley Railroad Company and the guarantors thereof, to the parties receiving the bonds aforesaid.*



The Erie and Allegheny Railway, between such point on the Atlantic and Great Western Railway, in the counties of Erie or Crawford and the city of Erie, by such route as the Erie and Allegheny Railway Company may finally adopt: *Provided, however, That no deficiency or exchange of bonds shall be made under the provisions or authority of this act by the Commissioners of the Sinking Fund, until a contract for the construction and equipment of said lines of railway, and the said branch to Waynesburg, respectively, with responsible parties, duly executed, shall be delivered to said commissioners, and an absolute guarantee for the fulfillment thereof, within the time and conditions of this act, by a responsible railway company or companies, of which the Pennsylvania Railroad Company shall be one; and, also, a guarantee, in like manner, of the payment by the said railway company or companies respectively, and interest, as it accrues, to the State, on said bonds belonging to the Commonwealth, of said companies, respectively, during the construction of their lines of railway, and until they are opened for traffic, as required by this act.*

The result of the first section of this bill was to substitute for the bonds of the Pennsylvania Railroad Company, to the amount of six millions of dollars, owned by the State and deposited in the sinking fund, bonds issued by the Jersey Shore, Pine Creek and Buffalo Railway Company to secure a first mortgage executed by them to the amount of six millions of dollars at par, before the market value of the latter company's bonds was ascertained. In other words, to substitute for the securities of the Pennsylvania Railroad Company those of a company the corporate existence of which had then reached the age of exactly twenty-six days, to the extent of six millions of dollars, and this in direct contravention of the provision of the Constitution. (Article II., sections 3 and 4.)

It was urged by Mr. Olmsted that the construction of the road within three years was to be guaranteed before there was to be any delivery of the bonds by the powerful corporations—the Pennsylvania Railroad Company, the Northern Central, and Philadelphia and Erie,—and that during those three years the

payments of interest provided in the bill should be made by the new corporation. From the day, however, when the road should be completed, and however bad its construction, *the guarantee was to cease* and the new corporation was to bear its own burdens.

Besides this, the final payment of the principal of its debt by the Pennsylvania Railroad Company was to be deferred from 1890 to 1894.

To the second section of this bill the same unanswerable objections prevail. For, in addition to the six millions of Pennsylvania Railroad bonds exchanged for those of the Jersey Shore, Pine Creek and Buffalo Railroad Company, three millions five hundred thousand of the bonds of the Allegheny Valley Railroad Company, the payment of which was guaranteed by the Pennsylvania Railroad Company, were to be presented to three other new companies, of which one was the Clearfield and Buffalo Railway Company, which single mouth of this three-headed Cerberus was to be treated to a sop of one million four hundred thousand dollars. Nine and a half millions of dollars, secured by the strongest corporation in this country, was to be given to corporations whose existence was only on paper, with no return whatever, except their worthless securities.

Here again the superior astuteness and influence of the Democratic leader was perceptible. While Mr. Olmsted offered a first mortgage on the Jersey Shore, Pine Creek, and Buffalo Railroad as security that the Commonwealth's six millions should be repaid, the roads mentioned in the second section of the bill, among them the Clearfield and Buffalo Railroad, were required to give only a *second* mortgage, being permitted to execute a first mortgage of their property to the extent of *sixteen thousand* dollars a mile, or *one million six hundred thousand dollars on a hundred miles*, all of which debt was to be preferred to that due the commonwealth, the latter aggregating from the three roads *three millions five hundred thousand dollars*.

This bill was introduced on *March 15th*.

*Next day, March 16th*, Mr. Randall reported the bill from the Railroad Committee, amended by adding the second section, as above, as Senate bill No. 1070.

*A motion was then made to refer the bill to Committee on Finance, which was lost*, as follows:—

YEAS—Messrs. Billingsfelt, Brooke, Buckalew, Graham, Howard, Rutan, Turner, Warfel, Watt, White, and Stinson, Speaker—11.

NAYS—Messrs. Allen, Beck, Brodhead, Connell, Davis, Duncan, Findlay, Henszey, Kerr, Linderman, Lowry, McIntire, Miller, Mumma, Nagle, Olmsted, Osterhout, Purman, Randall, Robison, and Wallace—21.\*

*A motion was made by Mr. Olmsted and Mr. Wallace to hold an evening session, commencing at 7½ o'clock, to consider the bill.*

Motion to postpone indefinitely. Lost—yeas, 8 ; nays, 23.

Motion to amend by substituting “Tuesday next.” Lost—yeas, 14 ; nays, 16.

On motion to amend to make the bill the special order for the afternoon of the following day—yeas, 13 ; nays, 17.

*On the resolution the previous question was called by Messrs. Olmsted, Beck, Randall, and McIntire.* On the question, Shall the main question be now put? *the yeas were 17, nays 12; and on the adoption of the resolution—yeas 19, nays 12.†*

*Same day, evening session.* The Senate proceeded to consider the bill on second reading (the rules being dispensed with).

Motion to adjourn by Mr. Brodhead and Mr. Rutan. Lost—yeas, 14 ; nays, 15.‡

\* Journal of the Senate of Pennsylvania, 1870, pages 636-7.

† Journal of the Senate of Pennsylvania, 1870, pages 652-5.

‡ Journal of the Senate of Pennsylvania, 1870, pages 655-6.

On motion of Mr. Olmsted and Mr. Wallace, the bill was made the special order for the next day, after the morning orders should be disposed of, and to continue the special order until finally disposed of.

*March 17th.* Bill again considered, but no progress.\*

*Same day,* afternoon session, an amendment by Mr. Wallace agreed to.

Motion by Mr. Brooke to strike out \$6,000,000 in first section and insert \$4,000,000. Lost—yeas, 9; nays, 21.

*Motion by Mr. White to require a guarantee of interest on bonds by the Pennsylvania Railroad Company.* Lost—yeas 11, nays 17.

After amendments, which were lost, the first section was carried by the following vote:—

YEAS—Messrs. Allen, Beck, Connell, Duncan, Findley, Henszey, Kerr, Linderman, Lowry, McIntire, Miller, Mumma, Olmsted, Osterhout, Purman, Randall, Robison, Wallace, and Watt—19.

NAYS—Messrs. Billingsfelt, Brooke, Brodhead, Buckalew, Davis, Graham, Howard, Rutan, Turner, Warfel, White, and Stinson, Speaker—12.

The second section was carried by the same vote with one additional name in the affirmative.

*Preamble offered by Mr. Wallace, and agreed to.*

*On suspending the rule to read the bill a third time—yeas 24, nays 7.*

*On final passage—yeas 20, nays 12,—the same as the above vote on first section, with one additional name in the affirmative.†*

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\* Journal of the Senate of Pennsylvania, 1870, page 682.

† Journal of the Senate of Pennsylvania, 1870, pages 684–90.

*March 18th.* Message from the House that the bill had been passed in that house without amendment.\*

*April 7th.* Report of Committee to Compare Bills, that bill had been compared and presented to the Governor *on the 6th of April.*†

By one of those unforeseen circumstances which baffle the intricate calculations of the most prophetic vision, Governor Geary vetoed the bill.

To ascertain the cause of this arrestation of legislation must forever elude the conjectures of the most expert politicians. Let us trust that it was owing to an access of virtue kindled by no unworthy motives. The bill was withheld from the Governor for nearly three weeks *from March 18th, when it had been passed by both houses, to April 6th, the day before that fixed for the adjournment of the legislature,* on the morning of which day the bill was returned to the Senate with the Governor's veto. He declares it clearly unconstitutional, and gives nine cogent reasons against its expediency.‡

The message closes in these words:—"Other objections to this measure might be stated, but those already given are considered sufficient to satisfy every impartial mind that the proposed scheme is as gross a violation of the Constitution as of sound policy."

The promoters of this bill were so much surprised that they required time to consult. Those opposed to it desired instant action, knowing that without a rally the necessary two-thirds vote could not be secured.

*"A motion was made by Mr. Wallace and Mr. Olmsted to postpone the question, together with the further consideration of the subject, for the present, and the Senate agreed to postpone.*

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\*Journal of the State of Pennsylvania, 1870, page 711.

†Journal of the Senate of Pennsylvania, 1870, page 1160.

‡Journal of the Senate of Pennsylvania, 1870, pages 1185-91.

“YEAS—Beck, Connell, Findley, Henszey, Kerr, Linderman, Lowry, McIntire, Miller, Mumma, Nagle, Olmsted, Osterhout, Randall, Robison, Wallace, and Watt—17.

“NAYS—Allen, Billingfelt, Brooke, Brodhead, Brown, Buckalew, Davis, Graham, Howard, Rutan, Turner, Warfel, White, Stinson—14.”\*

An attempt was then made by the advocates of the bill to prolong the session.

“A motion was made by Mr. Randall and Mr. Wallace, and read as follows, viz:—‘Resolved, If the House concur, that the resolution to adjourn this day be rescinded, and that the legislature will adjourn on Thursday, 14th April, 1870, at 12 M.’

“A motion was made by Mr. Randall and Mr. Olmsted that the Senate proceed to the second reading and consideration of said resolution.”†

This motion was defeated, Messrs. Olmsted and Wallace, however, voting in the affirmative.

A motion was then made “That the resolution to adjourn this day be rescinded, and that the legislature will adjourn on Saturday next, at 12 o’clock.” A motion by Messrs. Lowry and Wallace to proceed to the second reading and consideration of this resolution was also defeated by a vote of 14 for to 16 against. Messrs. Olmsted and Wallace again voting in the affirmative.‡

The matter was then reluctantly given up by its adherents, and nine and a half millions of dollars belonging to the people of this State were saved from the clutch of hands from which but little of that amount could ever have been reclaimed.

But one more fact remains to be chronicled. In the Democratic Convention held at Pittsburg last August, resolutions were

\* Journal of the Senate of Pennsylvania, 1870, page 1190.

Journal of the Senate of Pennsylvania, 1870, page 1191.

† Journal of the Senate of Pennsylvania, 1870, page 1192.

‡ Journal of the Senate of Pennsylvania, 1870, page 1192.

passed expressing the abhorrence by Democrats of certain specified acts committed by the party in power. Among those mentioned as deserving the reprobation of all honest men of both parties were the constant subsidies granted by Government to corporations powerful enough to offer the necessary inducements to those in power—subsidies wrung from the sweat of labor used to prop the credit of tottering projects and finally divided to satisfy the greed of those who had withheld their hands from the prize, only sufficiently long to involve a multitude of helpless creatures in the meshes of their nets.

That resolution, addressed against powerful robbers, found an opponent in Mr. Wallace, and by his actively exerted influence was stricken from the Democratic platform.

No one admires the many excellent qualities possessed by Mr. Wallace more than the writer of these pages. A desire that exact justice should be done forced him reluctantly to examine the official record of that gentleman's connection with the foregoing railroad bills, and to his surprise and sorrow he found the facts herein set forth.

No accusations are made, but simple references to the only authentic records of the acts of a public man. The character of such a one is public property, and he must not complain if his own recent public and legislative acts, collated without comment, are laid before the public eye.

It is not the calumny of political enemies which he has to fear, but the judgment of political friends. It has been stated and it may be true, that Mr. Wallace's varied abilities and long public services have so far enchanted his Republican opponents that they will unite with a portion of his friends, and thus secure his election to the United States Senate. Every one knows that the next Congress is to be applied to for pecuniary aid in the development of the great corporation of which Mr. Wallace was till recently vice-president. The proposed bill is now printed and is not difficult to obtain. After the exhibition of his powers in the legislature of 1870, his abilities for railroad management can hardly be doubted. It is whispered, too, that

the great Republican politician whose hopes of founding a hereditary senatorship have been blighted by the last election, has turned his thoughts from the aggrandizement of family to that of railroads, and that he has conveyed to his friends the assurance of his preference for Mr. Wallace, as he has openly admitted his reluctance to be again subjected to the scrutinizing eye of his former colleague, Mr. Buckalew.

To be raised to the United States Senate by the votes of the Cameron dragoons is a position which can hardly be flattering to a consistent Democrat. The man who barter the approval of his friends and of his conscience for the ephemeral applause of life-long enemies makes a hard bargain. There are many positions which Mr. Wallace would fill with the applause of all men. The Pennsylvania Railroad Company not long since passed a resolution by which their officers are, after the 1st of January, 1875, to retire from official connection with other roads. What position more worthy of his abilities as a financier, a legislator, and a politician than to be translated from the modest position of State Senator which he seriously thinks of resigning, to the lofty seat of president of the Texas Pacific Railroad, about to be vacated by the greatest railroad man of modern times?

His apotheosis to the higher sphere of the great spirits who preside over railroads may be confidently look forward to by a politician of whose actions in their behalf report has spoken so goldenly! Mr. Wallace will then have disarmed criticism, and the energy with which he has been gifted to so much greater a degree than falls to the lot of common men, will but increase his fame when transferred from the rugged paths of political manœuvring to the less ambitious but more lucrative position of a railroad potentate.

*Philadelphia, November 26th, 1874.*









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